Ū

a

|4

Preliminary Classificat

Proposed Class:

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand comer of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.' " M.P.E.P. § 601, 7th ed.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Alberto L. Mendoza

WARNING: 37 C.F.R. \$ 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17() is filed supplying or changing the name or names of the inventor or inventors."

For (title);

VACCINE FOR PREVENTING PYTHIOSIS IN HUMANS AND ANIMALS

CERTIFICATION UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.) (Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date November 1, 2001 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number ET679986819US dressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

> Tammi L. Taylor

(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal [4-1]—page 1 of 11)

This new application is for a(n)

(check one applicable item below)

(creck one applic	able hell below)
☑ Original (nonprovisional)	•
☐ Design	
☐ Plant	
WARNING: Do not use this transmittal for a complet U.S.C. § 371(c)(4), unless the Internation or continuation-in-part application.	tion in the U.S. of an International Application under 35 al Application is being filed as a divisional, continuation
WARNING: Do not use this transmittal for the filing	of a provisional application.
NOTE: If one of the following 3 items apply, then compl TRANSMITTAL WHERE BENEFIT OF A PRIO IN PARENT APPLICATION OF THE FILING O	ete and attach ADDED PAGES FOR NEW APPLICATION R U.S. APPLICATION CLAIMED and a NOTIFICATION F THIS CONTINUATION APPLICATION.
☐ Divisional.	·
☐ Continuation.	
☑ Continuation-in-part (C-I-P).	•

2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America; or
 - (ii) Complete as set forth in § 1.51(b); or
- (ii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or

(iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(New Application Transmittal [4-1]-page 2 of 11)

WARNING: st day of pendency of a provisional application falls on hin the District of Columbia, any nonprovisional appl. When nday, Sunday, or Federal h claiming benefit of the provisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).

The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL

		•	here benefit of prior U.S. application(s) claimed.
3.	Pap	ers l	Enclosed
A .	R (D	equi: Jesig	red for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 n) Application
		<u>54</u> 1	Pages of specification
			Pages of claims
		2 5	Sheets of drawing
WA	RNIN	FG: I f s c t f	DO NOT submit original drawings. A high quality copy of the drawings should be supplied when the patient application. The drawings that are submitted to the Office must be on strong, white, amooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 17-62).
NO	1	invent the Ol on the	ifying indicia, if provided, should include the application number or the title of the invention, or's name, docket number (if any), and the name and telephone number of a person to call if fice is unable to match the drawings to the proper application. This information should be placed a back of each sheet of drawing a minimum distance of 1.5 cm. (% inch) down from the top of tige " 37 C.F.R. § 1.84(c)).
			(complete the following, if applicable)
		a "	e enclosed drawing(s) are photograph(s). Three (3) sets of photographs and PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)" are attached. 37 F.R. § 1.84(b).
		"Pl	e enclosed drawing(s) are in color. Three (3) sets of color drawings and a ETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. 1.84(a)(2) and 1.84(b).
		fon	mal
	X	info	ormal
B.	Oth	ner P	apers Enclosed
	_1	<u>0</u> P	ages of declaration and power of attorney
		1 Pa	ages of abstract
		0	ther
A	dditi	ional	papers enclosed
		Am	endment to claims
			Cancel in this applications claims before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
			Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

(New Application Transmittal [4-1]—page 3 of 11)

		Preliminary Amendment
Į.		Information Disclosure Statement (37 C.F.R. § 1.98)
	3	Form PTO-1449 (PTO/SB/08A and 08B)
C	3	Citations
(Declaration of Biological Deposit
E		Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
_ [3	Authorization of Attorney(s) to Accept and Follow Instructions from Representative
]	Special Comments
E	3	Other
5. De	clar	ration or eath (including power of attorney)
NOTE:	the by ap the by be de pe	newly executed declaration is not required in a continuation or divisional application provided that a prior nonprovisional application contained a declaration as required, the application being filed is all or fewer than all the inventors named in the prior application, there is no new matter in the plication being filed, and a copy of the executed declaration filed in the prior application (showing a signature or an indication thereon that it was signed) is submitted. The copy must be accompanied a statement requesting deletion of the names of person(s) who are not inventors of the applicationing filed. If the declaration in the prior application was filed under § 1.47, then a copy of that claration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning rson under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently ecuted declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)–(3).
NOTE:	is d ab	declaration filed to complete an application must be executed, identify the specification to which it firected, identify each inventor by full name including family name and at least one given name, without breviation together with any other given name or initial, and the residence, post office address and untry or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 F.R. § 1.63(a)(1)-(4).
NOTE:	as a	ne inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship hat inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under a paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).
[2	I	Enclosed
	l	Executed by
		(check all applicable boxes)
	١	🖾 inventor(s).
	1	legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.
	1	 joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
-		☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.
) i	Not Enclosed.
NOTE:	the may	ere the filing is a completion in the U.S. of an International Application or where the completion of U.S. application contains subject matter in addition to the International Application, the application be treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.
	. {	

(New Application Transmittal [4-1]-page 4 of 11)

(The declaration oath, along with the surcharge required by C.F.R. § 1.16(e) can be filed subsequently).	
Showing that the filing is authorized. (not required unless called into question. 37 C.F.R. § 1.41(d))	
6. Inventorship Statement	
WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.	
The inventorship for all the claims in this application are:	
☐ The same.	
or	
□. Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,	
☐ is submitted.	
` □ will be submitted.	
7. Language	•
NOTE: An application including a signed oath or declaration may be filed in a language other than English. An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).	
☐ Non-English	
☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).	
Board of Trustees of	
An assignment of the invention to Michigan State University	
238 Administration Building, MSU, East Lansing, MI	48824
is attached. A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCU- MENT) ACCOMPANYING NEW PATENT APPLICATION" or ☑ FORM PTO 1595 is also attached.	
☐ will follow.	
NOTE: "If an assignment is submitted with a new application, send two separate letters-one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).	. ·
WARNING: A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation-in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.	
☐ This is a ☐ continuation ☐ divisional application and the assignment	
document for the parent application 0 / was filed	
on	
Reel	

Frame_

(New Application Transmittal [4-1]-page 5 of 11)

9.	Certified	Сору	
(ertified co	anyline) of	application/cl

Country		Appln. No.		Filed
Country		Appin. No.		Filed
Country		Appln. No.		Filed
from which priority	is claimed	••	•	·
☐ is (are) a		•		
☐ will follow	•		•	
NOTE: The foreign ap	oplication forming the 7 C.F.R. § 1.55(a) and	basis for the claim :	for priority must	be referred to in the oat
\$ 120 is itself	n or international App entitled to priority fron IEW APPLICATION TO	rication from which to n a prior foreign appl RANSMITTAL WHER	his application cli ication, then com	directly relates. If any pa aims benefit under 35 U. aplete item 18 on the ADI PRIOR U.S. APPLICATION
A. 🛛 Regular a	pplication			
	CI	AIMS AS FILED) .	
Number filed	N	umber Extra	Rate	Basic Fee 37 C.F.R. § 1.16(a \$740.00
otal				
laims (37 C.F.R. 21.16(c))	32 - 20 =	-12- ×	\$ 18.00	\$216.00
dependent				
Haims (37 C.F.R.	5_2_	-2-		#1.50.00
1.16(b))			\$ 84.00	\$168.00
luttiple dependent of any (37 C.F.R. §		+	\$280.00	\$280.00
☐ Amendme	nt cancelling extr	a claims is enclo	sed	-
	nt deleting multip		•	
	tra claims is not		•	
NOTE: If the fees for ext prior to the expi	ra claims are not paid o	on filing they must be iod set for response	paid or the claim	s canoelled by amendmen od Trademark Office in a
	Filing Fed	e Calculation		\$ 1,404.00
	_			•
		(1)		
	37 C.F.R. § 1.16	(f)) • Calculation		¢

C
Ţ
to
ſŲ
ĬŲ
프
Ę Įd
ļ 4
- -
4 4 2
4 4 2

c. 🗆	Plant a ation (\$480.00—37 C.F.I	3. & ·1.16(a))	•	. ·
		Filing fee calculati	on.	\$
11. Smail	Entity Statement			V
X		•	mall entity under 37	C.F.R. § 1.9 and 1.27
WARNING:	the status is available affect any other application of an application a continued prosecution and determination application. A nonprovide 365(c) of a prior application or in the preference to the statement in the prior desired. The payment of	and desired. Status as ication or patent, inclu- pon the application or position or position ander § 1.53 as a continued entitlement is to continued entitlement is the prior application or in the parapplication or in the	a small entity in one apporting applications or patent in which the status intinuation, division, or confusion, or the filling of a left to small entity status fining benefit under 35 Usplication may rely on a small application or the relication or in the patent attent and status as a smatatutory filling fee will be	Diffication or patent in which plication or patent does not tents which are directly or that been established. The ntinuation-in-part (including reissue application requires or the continuing or reissue S.C. § 119(e), 120, 121, or statement filed in the prior issue application includes a or includes a copy of the all entity is still proper and treated as such a reference
WARNING:		ke the required self-cer		signing the statement 09.03, 6th ed., rev. 2, July
	(com	plete the following	, if applicable)	
. 🗆 🥴	Status as a small e	ntity was claimed	in prior application	
. -	/	, filed on	· 	, from which benefit
į	s being claimed for		nder:	
	35 U.S.C. § 🔲 1			
٠		20, 21,		
		65(c),		
	and which status a	as a small entity is	still proper and de	sired.
			prior application is in	
•		lation (50% of A, I		Madoa.
•	Timing Tee Galee	• 702.00	o o above,	
NOTE: Anu	avecas of the full for mail	Ψ		
are		f the date of timely pay		shed and a refund request two-month period is not
12. Reque	st for Internationa	I-Type Search (37	C.F.R. § 1.104(d))	
		(complete, if app	licable)	
	lease prepare an in then national exam	* -	•	pplication at the time
÷	•			

(New Application Transmittal [4-1]-page 7 of 11)

			-			
13. F	ee	Pay	ment Being Made at This Time			
		No	t Enclosed			
			No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. § 1. subsequently.)	16(e)	can	be paid
	X	En	closed			
		X	Filing fee	. \$	70	2.00
		X	Recording assignment (\$40.00; 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$	4	0.00
			Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached (\$130.00; 37 C.F.R. §§ 1.47 and 1.17(1))	\$.		
			For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))	\$.		
-			Processing and retention fee (\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l))	\$.		
٠			Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))	\$		
NOTE:	fai 37 eit	ling to C.F. her to	R. § 1.21(f) establishes a fee for processing and retaining any application of complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as a R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of a the basic filing fee must be paid, or the processing and retention fee of § 1 year from notification under § 53(f).	vell a: prior	s the c	changes to pplication,
			Total fees enclosed \$_	74	2.0	00
4. M	eth	od: d	of Payment of Fees			
0	X	Atta	ched is a 🛛 check 🔲 money order in the amount of \$	74	2.0	0
. [norization is hereby made to charge the amount of \$			
			to Deposit Account No.			
			to Credit card as shown on the attached credit card infortion form PTO-2038.	matic	on au	rthoriza-
WARNI	ING:	Cre	edit card information should not be included on this form as it may bed	ome ,	public.	
C			rge any additional fees required by this paper or credit are manner authorized above.	any o	overp	ayment
			A duplicate of this paper is attached.			•
			·			

15. Authorizational Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

- The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.
 - 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)
 - 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)
- NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.
 - 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
 - 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).
 - 37 C.F.R. § 1.17 (application processing fees)
- NOTE: ". . . A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).
 - ☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))
- NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).
- NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . " From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

(New Application Transmittal [4-1]—page 9 of 11)

Instructions as to Overpayment					
	16.	Instructions	as to	Overpa	yment

NOTE: ". . . Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☐ Refund

Reg. No. 20,931

Tel. No. (517) 347-4100

Customer No. 21036

SIGNATURE OF PRACTITIONER

Ian C. McLeod

(type or print name of attorney)

2190 Commons Parkway

P.O. Address

Okemos, Michigan 48864

(New Application Transmittal [4-1]—page 10 of 11)

COCCET LACACE	
	ΥŪ
	Ü
	Ü
	ΓŲ
	T <u>U</u>
	B.
	
110	ļ.
1	

⋘ Inco	rporation	ference of ac	lded pages		
·	orior U.S. ap stage as a co he ADDED P	plication(s) (inclue ontinuation, divisio	ding an internation anal or C-I-P applic APPLICATION TRA	nal applica cation) and	al claims the benefit o tion entering the U.S I complete and attach WHERE BENEFIT OF
X		ed Pages for New . n(s) Claimed	Application Transm	nittal Where	e Benefit of Prior U.S.
•			Number of pages a	added	Five (5)
	Plus Adde	d Pages for Pape	rs Referred to in It	tem 4 Abo	ve
			Number of pages a	idded	· · · · · · · · · · · · · · · · · · ·
. 🗆					in prior application(s) ned in this application.
			Number of pages a	dded	
. 🗖	Plus "Assi	gnment Cover Let	ter Accompanying	New Appl	ication"
			Number of pages a	dded	
☐ State	ment When	e No Further Pag	es Added		
		pages form a part check the followi		l, then end	this Transmittal with
	This transn	nittal ends with th	is page.		•
•					•

(New Application Transmittal [4-1]-page 11 of 11)

ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

NOTE: See 37 C.F.R. § 1.78.

17. Relate Back

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(complete the following, if applicable)

Mark Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. § 119(e)

NOTE: "Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number)." 37 C.F.R. § 1.78(a)(4).

This application claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:	FILING DATE		
60, 245, 936	11/3/00 **		
/			
/			

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

[4-1.1]—page 1 of 5)

B. 35	U.S.C	s. §§ 120, 121 and 365(c)		
	"Exce claimin applica first se it by a numbe	pt for a continued prosecution application filed und ing the benefit of one or more prior filed copending ations designating the United States of America me entence of the specification following the title a referen- application number (consisting of the series code an er and international filing date and indicating the re- inces to other related applications may be made with	n nonprovisional applica ust contain or be ameno nce to each such prior a nd serial number) or inte elationship of the appli	tions or international led to contain in the oplication, identifying emational application
(XI "TI	nis application is a		
		continuation	•	
	X	continuation-in-part		
		divisional		
(of cop	ending application(s)		
_	_	olication number 0.9 / 082,232	filed on	5/20/98 ⊯now
] Inte	ernational Application	filed on	U.S. Patent No.
		and which de		6,287,573, which*
NOTE:	The pr	oper reference to a prior filed PCT application that	entered the U.S. nation	al phase is the LLC
	SCHOOL I	diffuse and the filling date of the PCT application to	hat designated the U.S.	
NOTE:	u io iiiii	ere the application being transmitted adds subject i g can be as a continuation-in-part or (2) if it is desir as a continuation.	matter to the Internation ed to do so for other rea	al Application, then asons then the filing
NOTE:	The de in the l	adline for entering the national phase in the U.S. fo Notice of April 28, 1987 (1079 O.G. 32 to 46) as fo	or an international appli illows:	cation was clarified
	Preliminand unit which efform the to the linternal 20 or 30 States 2 as paragand 120	atent and Trademark Office considers the Internation from the priority date if the United States has been on the priority date if the United States has been on the priority date if a Demandate of the United States of America has been filed elected the United States of America has been filed the priority date, provided that a copy of the international and Trademark Office within the 20 or 30 notional application has not been communicated to the Dimonth period respectively, the international application of 30 month period respectively, the international application of \$1.494 and paragraph (i) of \$1.495. A contract the pendency of the pendency of the pendency of the states.	designated and no Dema on of the 19th month from the for International Prelia di prior to the expiration tional application has be nonth period respective the Patent and Tradema attion becomes abandon These periods have been portinuing application und international application	and for International com the priority date minary Examination of the 19th month een communicated dy. If a copy of the rk Office within the ed as to the United placed in the rules der 35 U.S.C. 365(c) n."
		e nonprovisional application designated a		
	·	Provisional Application(s) No(s).:		
		NO(S).:	FILING	DATE
				, n
	/		-	, p
	/			В
	Whe	re more than one reference is made about	ve, please combine	all references

**is a division of Serial No. 08/895,940, filed 7/17/97, now U.S. Patent No. 5,948,413.

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

into one sentence.

[4-1.1]—page 2 of 5)

18. Relat Back—25 U.S.C. § 119 Priority Claim for Prior application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

•		Country	Appin. no.	Filed on	
The	e ce	rtified copy(ies) has (have)			
		been filed on	, in prior application	10 /	which was
		is (are) attached.			
WARNING: The certified copy of the priority application that may have been communicated to the PTO by the International Bureau may not be relied on without any need to file a certified copy of the priority application in the continuing application. This is so because the certified copy of the priority application communicated by the International Bureau is placed in a folder and is not assigned a U.S. serial number unless the national stage is entered. Such folders are disposed of if the national stage is not entered. Therefore, such certified copies may not be available if needed later in the prosecution of a continuing application. An alternative would be to physically remove the priority documents from the folders and transfer them to the continuing application. The resources required to request transfer, retrieve the folders, make suitable record notations, transfer the certified copies, enter and make a record of such copies in the Continuing Application are substantial. Accordingly, the priority documents in folders of International applications that have not entered the national stage may not be relied on. Notice of April 28, 1987 (1079 O.G.). 32º to 46).					
19.	Mai	intenance of Copende		-	
NOT	E: 7	he PTO finds it useful if a copy esponse is filed with the papers ovember 5, 1985 (1060 0.G. 27).	of the petition filed in the constituting the filing o	prior application extending	the term for on. Notice of
A.		Extension of time in prior	r application		
	(This	s item must be completed if the period set	l and the papers file in the prior applica	d in the prior applica tion has run.)	tion,
		A petition, fee and respondintil		n in the pending prior a	application
		☐ A copy of the petition	n filed in prior appli	cation is attached.	
B.		Conditional Petition for E	xtension of Time in	Prior Application	
		(complete this ite	m, if previous item r	ot applicable)	
		A conditional petition for application.	extension of time is	being filed in the pen	ding prio r
		☐ A copy of the conditi	ional petition filed in	the prior application is	attached.

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed [4-1.1]—page 3 of 5)

20. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

application whose particulars are set out above and the inventor(s application are the same. less than those named in the prior application. It is requested following inventor(s) identified for the prior application be deleted (type name(s) of inventor(s) to be deleted) (b) This application discloses and claims additional disclosure by amending a new declaration or oath is being filed. With respect to the prior application are the same. the following additional inventor(s) have been added: (type name(s) of inventor(s) to be added) (c) The inventorship for all the claims in this application are		(Complete applicable item (a), (b) and/or (c) below)
less than those named in the prior application. It is requested following inventor(s) identified for the prior application be deleted (type name(s) of inventor(s) to be deleted) (b) This application discloses and claims additional disclosure by amending a new declaration or oath is being filed. With respect to the prior application are the same. the following additional inventor(s) have been added: (type name(s) of inventor(s) to be added) (c) The inventorship for all the claims in this application are the same. not the same. An explanation, including the ownership of the various at the time the last claimed invention was made is submitted.	(a) 🗆	This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are
(type name(s) of inventor(s) to be deleted) (b) This application discloses and claims additional disclosure by amending a new declaration or oath is being filed. With respect to the prior application are the same. the same. (type name(s) of inventor(s) to be added) (type name(s) of inventor(s) to be added) (type name(s) of inventor(s) to be added) (the same. In the same. In not the same. An explanation, including the ownership of the various at the time the last claimed invention was made is submitted.		the same.
(b) ☐ This application discloses and claims additional disclosure by amending a new declaration or oath is being filed. With respect to the prior application are ☐ the same. ☐ the following additional inventor(s) have been added: (type name(s) of inventor(s) to be added) (c) The inventorship for all the claims in this application are ☐ the same. ☐ not the same. An explanation, including the ownership of the various at the time the last claimed invention was made ☐ is submitted.		less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:
a new declaration or oath is being filed. With respect to the prior application are the inventor(s) in this application are the same. (type name(s) of inventor(s) to be added) (type name(s) of inventor(s) to be added) (the inventorship for all the claims in this application are the same. not the same. An explanation, including the ownership of the various at the time the last claimed invention was made is submitted.		(type name(s) of inventor(s) to be deleted)
the following additional inventor(s) have been added: (type name(s) of inventor(s) to be added) (c) The inventorship for all the claims in this application are □ the same. □ not the same. An explanation, including the ownership of the variou at the time the last claimed invention was made □ is submitted.	(b) 🗆	This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are
(type name(s) of inventor(s) to be added) (c) The inventorship for all the claims in this application are □ the same. □ not the same. An explanation, including the ownership of the variou at the time the last claimed invention was made □ is submitted.		the same.
 (c) The inventorship for all the claims in this application are ☑ the same. ☑ not the same. An explanation, including the ownership of the variou at the time the last claimed invention was made ☑ is submitted. 		the following additional inventor(s) have been added:
 the same. not the same. An explanation, including the ownership of the variou at the time the last claimed invention was made is submitted. 	•	(type name(s) of inventor(s) to be added)
 not the same. An explanation, including the ownership of the variou at the time the last claimed invention was made is submitted. 	(c)	The inventorship for all the claims in this application are
at the time the last claimed invention was made is submitted.		
		- West and Section 21 or plantation, including the office of the state of the section of the sec
☐ will be submitted.		☐ is submitted.
		☐ will be submitted.



21. Abandonment of Prior Applicati n (if applicable)

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

NOTE: According to the Notice of May 13, 1983 (103, TMOG 6-7), the filing of a continuation or continuation-inpart application is a proper response with respect to a petition for extension of time or a petition to revive and should include the express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application.

22. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

WARNING: "The claims of a new application may be finally rejected in the first Office action in those situations where (A) the new application is a continuing application of, or a substitute for, an earlier application, and (B) all the claims of the new application (1) are drawn to the same invention claimed in the earlier application, and (2) would have been properly finally rejected on the grounds of art of record in the next Office action if they had been entered in the earlier application." M.P.E.P., § 706.07(b), 7th ed.

NOTE: Where it is possible that the claims on file will give rise to a first action final for this continuation application and for some reason an amendment cannot be filed promptly (e.g., experimental data is being gathered) it may be desirable to file a petition for suspension of prosecution for the time necessary.

(check the next item, if applicable)

There is provided herewith a Petition To Suspend Prosecution for the Time
Necessary to File An Amendment (New Application Filed Concurrently)

23. Small Entity (37 C.F.R. § 1.28(a))

	Applicant has established small entity status by the filing of a statement in parent application / on	
	☐ A copy of the statement previously filed is included.	
WARNING.	: See 37 C.F.R. § 1.28(a).	
WARNING: "Small entity status must not be established when the person or persons signing the sta can unequivocally make the required self-certification." M.P.E.P., § 509.03, 7th ed. (er added).		

24. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

	n of the filing of this of the following)
	continuation
	continuation-in-part
	divisional

is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed
[4-1.1]—page 5 of 5)